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KARNATAKA LEGISLATIVE ASSEMBLY

NOTIFICATION

No. 12497 *L.A./L, dated* 19*th February* 1975.

The following Bill was introduced in the Legislative Assembly on the 18th February 1975.

THE KARNATAKA PUBLIC LIBRARIES (AMENDMENT) BILL, 1975

(L.A. Bill No. 6 of 1975)

A Bill to amend the Karnataka Public Libraries Act, 1965.

Whereas it is expedient to amend the Karnataka Public Libraries Act, 1965 (Karnataka Act 10 of 1965);

Be it enacted by the Karnataka State Legislature in the Twenty-sixth Year of the Republic of India as follows :—

1. Short title and commencement.—(1) This Act may be called the Karnataka Public Libraries (Amendment) Act, 1975.

(2) Sections 5 and 6 shall be deemed to have come into force on the first day of April, 1969 and the remaining provisions of this Act come into force at once.

2. Amendment of section 3.—In section 3 of the Karnataka Public Libraries Act, 1965 (Karnataka Act 10 of 1965) (hereinafter referred to as the principal Act), in clause (a) of sub-section (2) for the words "the Minister in charge of Education", the words "the Minister in charge of Public Libraries" shall be substituted.

3. Amendment of section 16.—In section 16 of the principal Act, in sub-section (1), the proviso shall be omitted.

4. Amendment of section 18.—In section 18 of the principal Act, in sub-section (1), for clause (b), the following clause shall be substituted, namely :—

"(b) the Deputy Director of Public Instruction in charge of the district.".

5. Amendment of section 30.—In section 30 of the principal Act, for sub-section (4), the following sub-section shall be substituted, namely:—

" (4) Out of the cess collected by it under.

section (3) every local authority shall be entitled to retain ten per cent of the amount collected towards the cost of collection and the balance shall be paid to the City Library Authority or the District Library Authority, as the case may be ".

6. Amendment of section 32.—In section 32 of the principal Act, in sub-section (2), for clause (a), the following clause shall be substituted, namely:—

" (a) the amount of cess paid by the local authority under sub-section (4) of section 30;".

Statement of Objects and Reasons

At present, the Minister incharge of Education will be the **Ex-Officio** President of the State Library Authority. It may so happen that the Minister for Education may not be incharge of Public Libraries. It is therefore considered necessary to make the Minister incharge of Public Libraries the **Ex-Officio** President of the State Library Authority.

The Library cess is collected by the local authorities. It is proposed to give ten per cent of the cess collected to the local authorities concerned towards costs of collection.

Opportunity has been taken to incorporate the new designation of the District Educational Officer and to omit the reference to Bangalore District (Rural) and Bangalore District (Urban) which are no longer in existance.

Hence the Bill.

M. MALLIKARJUNASWAMY.

Te. Hanumanthappa,

Secretary.

ANNEXURE

Extract from The Karnataka Public Libraries Act, 1965 (Karnataka Act No. 10 of 1965).

* * * *

3. Constitution and composition of the State Library Authority.— (1) As soon as may be after the commencement of this Act, the State Government shall, by notification, constitute for the purposes of this Act, an authority to be called the State Library Authority. Such authority shall be a body corporate having perpetual succession and a common seal with power, subject to the provisions of this Act, to acquire, hold and dispose of property, and to contract, and may by the same name sue and be sued.

* * * *

(2) The State Library Authority shall consist of,—

(a) the Minister incharge of Education who shall **Ex-Officio be** the President of the Authority;

* * * *

16. Constitution of Local Library Authorities.—(1) For the purpose of organising and administering Public Libraries in the State, there shall be constituted Local Library Authorities,—

(a) for the Cities of Bangalore, Hubli-Dharwar, Mangalore, Mysore and Belgaum, and for such other urban area having a population of more than a one lakh, as the State Government may by notification specify, called the City Library Authority; and

(b) for each revenue district, excluding the area for which a City Library Authority is constituted, called the District Library Authority :

Provided that the District Library Authority constituted for Bangalore District (Rural) shall organise and administer public libraries in Bangalore District (Urban) also, excluding the City of Bangalore.

* * * *

18. Composition of District Library Authorities.—(1) Every District Library Authority shall consist of—

(a) the Deputy Commissioner of the district who shall **Ex-Officio** be the Chairman of the Authority;

(b) the District Educational Officer or the Educational Inspector of the district;

* * * *

30. Library Cess.—(1) With effect from the date of commencement of this Act,—

(a) a library cess in the form of a surcharge on—

(i) tax on lands and buildings;

(ii) tax on entry of goods into the local area for consumption, use or sale therein;

(iii) tax on vehicles;

(iv) tax on professions, trades, callings and employments;

shall be levied in the area within the jurisdiction of every City Library Authority under the relevant laws relating to Local authorities providing for the levy of such taxes, at the rate of three piase for every rupee of the taxes so levied:

(b) a library cess in the form of a surcharge on tax on lands and buildings shall be levied in the area within the jurisdiction of every District Library Authority, under the relevant laws relating to local authorities providing for the levy of such tax at the rate of three paise for every rupee of the tax so levied.

(2) A City Library Authority or District Library Authority may, with the previous sanction of the State Government, by notification; increase the rate of library cess levied on any item of tax specified in clause (a) or (b) of sub-section (1), subject to the condition that the rate shall not exceed six paise for every rupee of the tax levied.

(3) The cess levied under clause (a) or clause (b) of sub-section (1) or increased under sub-section (2) shall be collected by the municipal corporation, municipal council or other municipal body, or the village panchayat or other local authority having jurisdiction over

the area as if the cess were a tax referred to in the said clause payable under the relevant laws for the time being in force in the area, and all the provisions of the said laws relating to the levy and collection of the said tax shall apply subject to such modifications as may be prescribed.

(4) The cess collected under sub-section (3) by every local authority shall be paid to the City Library Authority or the District Library Authority, as the case may be.

32. City and District Library Funds.—(1)

* * * *

(2) There shall be credited to the City Library Fund and the District Library Fund, as the case may be, the following sums, namely,—

(a) the cess collected under sub-section (3) of section 30;

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